

ELLIS:LAWHORNE

John J. Pringle, Jr.
Direct dial: 803/343-1270
jpringle@ellislawhorne.com

January 14, 2004

VIA ELECTRONIC MAIL & FIRST CLASS MAIL SERVICE

The Honorable Bruce Duke
Deputy Executive Director
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: **John J. Pringle, Jr.**
Direct dial: 803/343-1270
jpringle@ellislawhorne.com

Dear Mr. Duke:

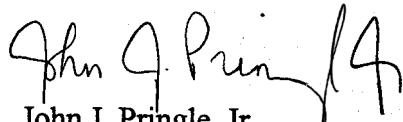
Enclosed is the original and fifteen (15) copies of the **Petition to Intervene** for filing on behalf of NewSouth Communications, Corp. ("NewSouth") in the above-referenced docket.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the envelope provided.

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,


John J. Pringle, Jr.

JJP/cr

cc: Mr. Jake E. Jennings [via electronic mail]
all parties of record

Enclosures

F:\APPS\OFFICE\WP\WIN\WPD\DOCS\NEW SOUTH COMMUNICATIONS LLC\Duke Petition.wpd

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-326-C**

IN RE:)	
)	
Analysis of Continued Availability of)	
Unbundled Local Switching for Mass)	PETITION TO INTERVENE
Market Customers Pursuant to the Federal)	
Communication Commission's Triennial)	
Review Order)	
<hr/>		

NewSouth Communications, Corp. ("NewSouth" or "Petitioner"), by its undersigned attorney, hereby Petitions the South Carolina Public Service Commission (the "Commission"), pursuant to Rule 103-836 of the Commission's Rules, for an order allowing NewSouth to intervene in the above-captioned Docket, with full rights to participate as a party of record. In support of its Petition, NewSouth would show the Commission the following:

1. NewSouth is a limited liability company ("LLC") organized under the laws of the State of South Carolina. NewSouth holds a certificate of public convenience and necessity from this Commission granted in Docket No. 97-467-C by Order No. 98-165.
 2. On November 7, 2003 the Commission issued an Order setting hearing dates and opening Dockets for the state proceedings required by the Federal Communications Commission ("FCC") in its Triennial Review Order of the Section 251 unbundling obligations of Incumbent Local Exchange Carriers ("TRO").
 3. As a telecommunications carrier providing services in South Carolina, NewSouth has
- BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-326-C
4. NewSouth seeks to assist the Commission in its determination of whether

“impairment” exists within the State of South Carolina and within the local exchange markets in

“impairment” exists within the State of South Carolina and within the local exchange markets in

5. The full name and address of the authorized representative of NewSouth is:

John J. Pringle, Jr.
Ellis, Lawhorne & Sims, P.A.
P.O. Box 2285
Columbia SC 29202

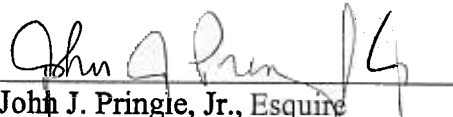
6. NewSouth asserts that the granting of its Petition to Intervene will not in any way delay the proceedings in this Docket.

WHEREFORE, NewSouth prays for the Commission to

- a) Grant this Petition to Intervene and make Petitioner a party of record in Docket Number 2003-326-C, allowing Petitioner to participate fully and take such positions as it deems advisable; and
- b) Grant such other relief as the Commission deems just and proper.

Respectfully submitted,

ELLIS, LAWHORNE & SIMS, P.A.



John J. Pringle, Jr., Esquire
1501 Main Street, Fifth Floor
P.O. Box 2285
Columbia, South Carolina 29202

Attorney for New South Communications, Corp.

January 14, 2004

Columbia, South Carolina

F:\APPS\OFFICE\WPWIN\WPDOCS\NEW SOUTH COMMUNICATIONS LLC\PetIntervene2003-326-C.wpd

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-326-C**

IN RE:

Analysis of Continued Availability of
Unbundled Local Switching for Mass
Market Customers Pursuant to the Federal
Communication Commission's Triennial
Review Order

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-326-C

This is to certify that I have caused to be served this day, one (1) copy of the **Petition to Intervene** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

Patrick Turner, Esquire
BellSouth Telecommunications, Inc.
PO Box 752
Columbia SC 29202-0752

Elliott Elam, Staff Attorney
SC Department of Consumer Affairs
PO Box 5757
Columbia, SC 29250

Margaret Fox, Esquire
McNair Law Firm, PA
PO Box 11390
Columbia SC 29211

Robert E. Tyson, Jr., Esquire
Sowell Gray Stepp & Laffitte, LLC
PO Box 11449
Columbia SC 29211

Darra W. Cothran, Esquire
Woodward, Cothran & Herndon
PO Box 12399
Columbia SC 29211

Scott A. Elliott, Esq.
Elliott & Elliott
721 Olive St.
Columbia SC 29205


Carol Roof

[REDACTED]